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FM AMEMBASSY DILI  
TO SECSTATE WASHDC IMMEDIATE 3886  
AMEMBASSY BANGKOK IMMEDIATE  
INFO AMEMBASSY LISBON  
AMEMBASSY CANBERRA  
AMEMBASSY WELLINGTON  
ASSOCIATION OF SOUTHEAST ASIAN NATIONS  
AMEMBASSY PORT MORESBY  
AMEMBASSY TOKYO  
AMEMBASSY SEOUL  
USPACOM HONOLULU HI  
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AMEMBASSY DILI

UNCLAS DILI 000065

SIPDIS

DEPT FOR EAP/MTS; BANGKOK PLEASE PASS A/S HILL AND DAS MARCIEL

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [TT](#)

SUBJECT: SECURITY MISSTEPS DAMAGE DILI' S RECENT PERFORMANCE

REF: DILI 61

Summary

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11. (SBU) Serious missteps by the Timorese security forces, both the national police and the military, have dented the government's performance in recent days. UNMIT has reported several credible reports of human rights violations of varying severity by the police since February 11, including the unprovoked beating of a journalist. The surrenders of two alleged participants in the February 11 attacks on the President and Prime Minister have been handled very badly, including in one case the drawing of weapons by the Timorese military on UNPOL personnel. Three other alleged perpetrators have been among more than 400 "petitioners" that have gathered in Dili; only late on February 28 were the five presented to a court. More than twenty other attackers remain at large, although reports suggest they are increasing desperate and preparing for surrender. Six did so today. Dili and the rest of Timor-Leste remain calm. The ever-growing crowd of petitioners in Dili gives the government a big opportunity to resolve one of the nation's priorities. End summary.

12. (SBU) In reftel, we had a relatively positive assessment of the government of Timor-Leste's (GOTL) performance since the attacks on the president and prime minister on February 11, 12008. While we saw several potential vulnerabilities and the possibility of renewed instability due to government inaction or maladministration, we judged performance overall as reassuringly good. In brief, the GOTL since 2/11 implemented emergency and other measures in accordance with the constitution and law, institutions continued to function, Timorese security agencies cooperated to maintain stability and capture the 2/11 perpetrators, and the country's leadership focused on resolving the military petitioner and IDP priorities. Regrettably, some of the GOTL's recent actions seriously undermined our confidence. Highlights follow.

Human rights abuses

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13. (SBU) UNMIT human rights officials state there have been between ten and fifteen reports of credible violations of human rights by the Timorese national police (PNTL) since February 11, including physical abuse. Full investigations by UNMIT are pending. Prominent among the allegations are the arrest and beating of a journalist apprehended on February 24 during curfew hours and, though not widely reported, the nighttime and uninvited entry into a house used as a residence by UNPOL

officers and the beating of a Thai UNPOL member. The Secretary of State for Security promptly issued a public apology regarding the PNTL's ill-treatment of the journalist.

14. (SBU) On February 25, UNPOL took into custody a suspect for whom an arrest warrant had been issued due to his involvement in crimes committed by Alfredo Reinado's group in 2006. The suspect surrendered to UNPOL voluntarily, was brought by UNPOL to the Dili detention center where he stayed overnight and, on February 26, was handed over to the prosecutor general for judicial processing. Later that day, the prosecutor general released the suspect prior to his appearance before a court into the personal "custody" of one of the petitioners now in an encampment in Dili.

15. (SBU) On February 27, another 2/11 suspect voluntarily surrendered himself to the police in Oecussi, the Timor-Leste enclave in Indonesia. UNPOL provided helicopter transportation back to Dili and UNPOL police accompanied. Upon arrival at the Dili airport, the suspect was placed in an UNPOL vehicle and the party proceeded towards the airport exit. A Timorese military (F-FDTL) truck blocked their departure, however, and fourteen troops with weapons drawn surrounded the UNPOL car and seized the suspect. He, too, was dropped at the petitioners' encampment without having first been delivered to the judicial authorities. Beyond the outrageous and wholly improper threat against UN personnel, and the arguable commission of an act of armed kidnapping, the F-FDTL troops violated Timor law as they do not have police powers of arrest. (Note: this incident has not yet made it into the local press.)

16. (SBU) There also have been a number of worrisome actions by F-FDTL personnel on February 11 and thereafter, as well as apparent GOTL forbearance of impunity by soldiers and others. Questions surrounding the actions of the president's F-FDTL close protection unit on February 11 are legion. As of February 27, F-FDTL commanders had denied permission to F-FDTL troops present at the president's residence and eyewitness to the events on February 11 to undergo interviews with police investigators and provide evidence. (Note: the prosecutor general told us yesterday that permission finally had been granted and the F-FDTL soldiers would soon present their accounts, but we have not been able to confirm that they have done so.) In November 2007, four F-FDTL soldiers were sentenced to 12 years in prison for committing murder during the 2006 crisis. Although all of their appeals have been heard and denied, none have been turned over to prison authorities, and one has been seen manning the security detail at President Horta's residence(!). In addition to the two suspects mentioned above, UNMIT confirms that three others with outstanding warrants for either the 2/11 events or Reinado-related 2006 activities were among the petitioners now assembled in Dili.

Still moving forward

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17. (SBU) Despite the serious bruises that the rule of law and respect for human rights in Timor-Leste suffered over the past few days, overall the situation remains positive. Dili and the remainder of the country are calm, stores are open, and markets are bustling as normal. All members of the U.S. embassy family are safe as are members of the American community. Surprisingly large numbers of petitioners have assembled in Dili, a startling development (and opportunity) not predicted even a week ago. Numerous reports have Salsinha, the leader of the remaining 2/11 attackers, feeling increasingly isolated, fearful of capture and preparing himself for surrender. Six of his band surrendered to police in a district outside of Dili today. Senior UNMIT representatives told us that the PM responded to the February 27 incident (para 5 above) with a letter to the SRSG promising to investigate fully, the President twice has formally apologized, and the PM and SRSG will meet the evening of February 28 to discuss. The five suspects in Dili finally were turned over to UNPOL late on February 28 and presented before a court. Other functions of government roll on, albeit at the low levels to which we are accustomed. Ministers in charge of economic/social development have been pushing us hard to advance assistance in

areas from roads to IDP housing.

18. (SBU) As always in this volatile country, we face a great deal of unpredictability going forward. The capture/surrender of the remainder of the 2/11 attackers could be prolonged or go badly. Coordination among the four security agencies (F-FDTL, PNTL, UNPOL and the Australian-led International Stabilization Force) has been strained, sometimes sharply so, and could yield an unhappy or tragic outcome. There is great public uncertainty regarding the events of 2/11, the motivations of the attackers and the extent and prominence of their supporters. Once the truth is revealed, the political consequences could be significant and destabilizing. There are also dangers of an official cover-up, failure to fully pursue the truth, or enjoyment by the perpetrators or their supporters of impunity. The petitioners that have presented themselves in Dili give the GOTL an enormous opportunity to resolve a set of grievances that have tragically undermined the nation's stability for more than two years. But will the government be able to effectively mount a decisive response? We remain alert both to the dangers present in Timor's forlorn political landscape, and eager to assist those leaders committed to the strengthening and development of Timor's democratic institutions and rule of law.

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